

**CHICKASAW TRIBAL LEGISLATURE
REGULAR SESSION
David Stout Building
Ada, Oklahoma
August 16, 2002**

AGENDA ITEM #1 CALL MEETING TO ORDER

Chairperson Wanda Blackwood Scott called the meeting to order at 9:00 a.m.

AGENDA ITEM #2 ROLL CALL

Members present:

Beth Alexander
Linda Briggs
Scott Colbert
Tim Colbert (Late arrival, 9:01 a.m.)
Mary Jo Green
Donna Hartman
Lisa Johnson-Billy
Dean McManus
Mooniene Ogee
Judy Goforth Parker
Wanda Blackwood Scott
Wilson Seawright
Lisa Shephard

Staff present:

Doretta Sellers, Recording Secretary
Harold Stick, Sergeant-At-Arms
Monette Richardson, Administrative Assistant
Lori Hamilton, Legislative Legal Assistant
Robert Cheadle, Legislative Counsel

Guest present:

Mike Watson, Wilma Watson, Josie Crow, Danny Key, Evan Zorn, Tony Choate, Zeke Walker, Melanie Monetathchi, Jaisee Monetathchi, Megan Voneel, LaRue Baken, Matt Frye, Jade Eason, Jay Keel, Robin M. Phillips, Betty Kemp, Dusk Monetatchi, Rose Shields Jefferson, Bob Rubin

AGENDA ITEM #3 INVOCATION

The invocation was given by Mrs. Ogee.

AGENDA ITEM #4 READING OF MINUTES - July 19, 2002

Mrs. Green noted a correction on page 10.

A motion was made by Mrs. Green to approve the July 19, 2002 minutes as amended. The motion was seconded by Dr. Goforth Parker.

Members voting yes:

Beth Alexander, Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
13 yes votes

The motion to approve the minutes of July 19, 2002, as amended, carried unanimously.

AGENDA ITEM #5: UNFINISHED BUSINESS

Unfinished business was not addressed.

AGENDA ITEM #6: REPORTS OF COMMITTEES

(A) LEGISLATIVE COMMITTEE REPORT by Chairman Wanda Blackwood Scott

Chairperson Wanda Blackwood Scott stated she had no report.

Mr. Seawright stated in the August 5, Legislative Committee, the members were asked to send Legislators to three conferences, one of which was the National Women's Conference in San Diego. The committee voted to send no more than four Legislators to this conference, however, six are registered to attend. This is a seven day conference with a registration fee of \$250.00. He asked for a vote of the Legislature, as a whole, to reiterate that only four Legislators be allowed to attend this conference.

Mrs. Johnson-Billy stated if a decision was made in committee, the Legislators should abide by that decision.

Dr. Goforth Parker stated that she would not be attending this conference. However, if six Legislators want to attend the conference, they should be able attend.

Mrs. Briggs stated she requested to attend, however, if the Committee agreed to send four she would withdraw her request.

Mrs. Green noted the conference will be in the new fiscal year.

Dr. Goforth Parker stated if this trip is in the new funding year and it is the Legislator's first out of state trip, there would be no need for a vote. It is required that the Legislators seek

approval from the body if they make more than one out of state trip.

Mrs. Hartman stated it was her understanding the reason this matter was brought before the Legislative Committee on August 5, was to pay the registration fee from this year's budget.

Mrs. Briggs noted if Dr. Goforth Parker and herself did not attend the conference, it would leave only four to attend.

Mr. Seawright stated he asked for a vote so the Legislature's intent would be clear. He asked for a roll call vote.

Dr. Goforth Parker stated it was the Chair's position to ask for a roll call vote.

Mr. Seawright asked for a roll call vote to determine if the body should vote.

Mrs. Alexander seconded the request.

Chairperson Wanda Blackwood Scott asked the Legislative Counsel if the Chair of the Finance Committee could call for a vote.

Mr. Seawright stated he was calling for the vote as a Legislator, not as Chair of the Finance Committee.

Mrs. Briggs asked Mr. Seawright to explain his concern.

Mr. Seawright stated he wanted it on record how the Legislature feels on attending this conference. There are six requests in Finance for registration fees to be paid out of this fiscal year's budget.

Dr. Goforth Parker stated according to Robert's Rules of Order, the final decision is up to the Chairperson.

Mrs. Alexander stated in the past the Legislature has taken votes on certain issues and things have not gone as the Legislature voted.

Mr. Tim Colbert stated this issue is in-house housekeeping.

Mr. Seawright agreed with Mr. Colbert. He stated that was the reason it was brought up in the Legislative Committee. However, what was decided in Committee was not followed.

Mr. Tim Colbert stated four of the Legislators said they were going and two said they were not. The problem is solved.

Dr. Goforth Parker suggested to move forward on the agenda.

Mr. Seawright asked for a ruling on Robert's Rules of Order.

Mr. Cheadle read the ruling stating only the Chair can place a question before the assembly.

Chairperson Wanda Blackwood Scott noted this issue was not on the agenda to be voted on, therefore, it was questionable if it could be heard.

(B) FINANCE COMMITTEE REPORT by Chairman Wilson Seawright

General Resolution Number 19-072, Authorization of Expenditure for Senior Farmers' Market Nutrition Program

This resolution approves the funding from tribal, non-trust funds, in the amount of \$40,077 to be dedicated to the administration of the Senior Farmer's Market Nutrition Program. USDA will provide funding in the amount of \$112,900 for fruits and vegetables for this grant.

A motion was made by Mr. Seawright to approve GR19-072. The motion was seconded by Mr. Tim Colbert.

Members voting yes:

Beth Alexander, Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
13 yes votes

The motion to approve GR19-072 carried unanimously.

Mr. Seawright reported the Finance Committee was in the process of reviewing the budget and will meet Thursday to conclude their review. Tribal law allows for an additional session. He requested a vote to call for an Additional Regular Session to be held August 29, at 5:30 for the purpose of voting on the budget.

A motion was made by Mr. Seawright for an Additional Regular Session on August 29, at 5:30 for the purpose of voting on the budget. The motion was seconded by Mrs. Alexander.

Chairperson Wanda Blackwood Scott stated in the past when a Legislator would request an Additional Regular Session, the Chair would do whatever was necessary to schedule the meeting.

Mr. Seawright stated the rules state it is to be called by the Tribal Legislature. That is the reason he wanted it brought to a vote of the Legislature.

Dr. Goforth Parker stated this issue once again reverts back to what was read in Robert's Rules of Order. A vote should not be taken on that motion. If the Chair is willing to call an

Additional Regular Session, it will be her prerogative to set the time.

Mrs. Hartman stated it was her understanding that the Code stipulates the Legislature approves an Additional Regular Session.

Mr. Seawright read the section of the Code dealing with Additional Regular Session.

Dr. Goforth Parker stated that a precedent had been set in the past, and the way it is interpreted, is that the Chairperson calls an Additional Regular Session.

Chairperson Wanda Blackwood Scott asked the Tribal Counsel for assistance.

Mr. Cheadle stated he was not aware of a precedent. His understanding of the Code is that the Tribal Legislature calls for the meeting, the Chairperson is responsible for notifying the members, determining the agenda, setting the time, and sending out a press release.

Dr. Goforth Parker recommended to have an Additional Regular Session and study the Code for clarification at a later time.

Mrs. Alexander encouraged the Legislature not to be hesitant and take a vote. Votes that need to be taken and business that needs to be handled, should be done by all thirteen Legislators, not by just the Chairperson.

Mr. Scott Colbert stated if the Finance Committee was prepared to present the budget today, they could vote on it and not have to meet on August 29.

Mr. Seawright stated they were not prepared to present the budget today. They would meet next Thursday to formulate the final information to present.

Dr. Goforth Parker expressed her concern that calling for a vote has never been called by anyone other than the chairman of a committee or the Chairperson of the Legislature. We have agreed there would be an Additional Regular Session. We are following what we have done in the past. If the Legislature believes they should go back for clarification, that can be done in committee.

Mr. Seawright concluded his report.

(C) HUMAN RESOURCES COMMITTEE REPORT by Chairman Lisa Shephard

No report.

(D) LAND DEVELOPMENT COMMITTEE REPORT by Chairman Judy Goforth Parker
General Resolution Number 19-073, Oil and Gas Lease in Pittsburg County (Tribal Tract No. 36)

This resolution approves an Oil and Gas Lease in Pittsburg County, Oklahoma, on property belonging to the Choctaw and Chickasaw Nations, in favor of Williams Production Mid-Continent Company, containing 7.86 acres, more or less, at \$143.11 per acre for a total bonus of \$1,124.84 of which the Chickasaw Nation would receive \$281.21, for a primary term of three (3) years at a royalty rate of 18.75%.

A motion was made by Dr. Goforth Parker to approve GR19-073. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
13 yes votes

The motion to approve GR19-073 carried unanimously.

General Resolution Number 19-074, Oil and Gas Lease in Pittsburg County (Tribal Tract No. 1082-A & 1083-A)

This resolution approves an Oil and Gas Lease in Pittsburg County, Oklahoma on property belonging to the Choctaw and Chickasaw Nations, in favor of Williams Production Mid-Continent Company, containing 123.89 acres, more or less, at \$143.11 per acre for a total bonus of \$17,729.90, of which the Chickasaw Nation will receive \$4,432.48. This lease is for a primary term of three (3) years at a royalty rate of 18.75%.

A motion was made by Dr. Goforth Parker to approve GR19-074. The motion was seconded by Mrs. Green.

Members voting yes:

Beth Alexander, Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
13 yes votes

The motion to approve GR19-074 carried unanimously.

General Resolution Number 19-068, Authorization for Acquisition of Property in Garvin County

This resolution approves the Chickasaw Nation's request to acquire a tract of land

located in Garvin County Oklahoma, containing 6.866 acres, more or less. Said property shall be placed U.S.A. in Trust for the Chickasaw Nation after property is acquired.

Dr. Goforth Parker stated this resolution was tabled in Legislative Session on July 19, 2002.

A motion was made by Dr. Goforth Parker to take GR19-068 from the table. The motion was seconded by Mrs. Briggs.

Mrs. Johnson-Billy asked if the number of Senior Citizens required to build a facility was provided. This was a question asked at the meeting last month.

Mrs. Green stated the number was more than 28.

Mrs. Johnson-Billy stated it was her understanding that there had to be a count of at least 50 Chickasaw Senior Citizens before building a new facility would be considered.

Mrs. Ogee asked if this was a nutrition center and a community building together.

Dr. Goforth Parker stated it would be like the others that provide the services.

Mrs. Hartman stated Pauls Valley has been asking for a building for six years. They have a small council, but meet regularly. She asked if this was strictly for a Senior Citizen site or were there plans for a community building.

Dr. Goforth Parker stated the current question was to bring GR19-068 from the table. Apparently there were questions that have not been answered. The questions she was aware of were addressed. Monday evening she stated this resolution would be brought off the table, and if others had questions to call her during the week. She had not heard from anyone. This resolution could stay on the table for two more months before it would have to be brought up again.

Mr. Danny Key, representative from the Realty Department, reported they have progressively been searching for a site in the Pauls Valley vicinity. He stated there was not a contract with an architect, so no building has been designed for that particular use. It was his understanding from a previous conversation with Karen Cook, Senior Citizen Program Administrator, the facility would be a Senior Citizen center, not necessarily a community center. The tribe has entered into a contract with the seller with September 30 as the closing date. The contract is contingent upon Legislative approval.

Mr. Colbert stated since there were questions that have not been answered about the number of people that attend and if this facility can be used as a community center, he suggested voting on GR19-068 at the August 29 meeting.

Dr. Goforth Parker withdrew her motion to bring GR19-068 from the table. Mrs. Briggs withdrew her second to the motion.

Dr. Goforth Parker asked the Legislators to provide a list of questions for her. She would

try to get them answered by August 29. She also asked the Chairperson to place this resolution on the agenda for that meeting.

Dr. Goforth Parker concluded her report.

(E) EDUCATION COMMITTEE REPORT by Chairman Beth Alexander

No report.

(F) HEALTH CARE COMMITTEE REPORT by Chairman Donna Hartman

Mrs. Hartman reported the committee will meet this morning after the session. Mr. Ken Lance, the hospital administrator, had been invited to the meeting.

(G) HISTORICAL AND CULTURAL COMMITTEE REPORT by Chairman Dean McManus

Mrs. McManus reported the new director for the Cultural Resources Department is Haskell Alexander. Mr. Alexander is working on a Chickasaw honor song to be played at various functions.

The new editor for the journal is Matthew Cravatt. Mr. Cravatt was asking for stories from childhood memories to be submitted to him because he will be featuring them in the journal.

The Historical Society will have a float in the Annual Day Parade. The theme is “Honoring our Children, The Future Generation.”

Mrs. McManus concluded her report.

(H) HISTORIC CAPITOL AD HOC COMMITTEE REPORT by Chairman Wanda Blackwood Scott

No report.

(I) ELECTION RULES AND PROCEDURES AD HOC COMMITTEE REPORT by Mooniene Ogee

No Report.

(J) COURT DEVELOPMENT AD HOC SUB-COMMITTEE REPORT by Scott Colbert

Permanent Resolution Number 19-024, Amendments to Title 6, Chapter 1, Article B of the Chickasaw Nation Code (Child Support Guidelines)

The Chickasaw Tribal Legislature enacted Child Support Guidelines for the Chickasaw Nation on June 21, 2002. By this resolution, the rights of parents regarding child support obligations will be clarified. It authorizes and approves the following amendments. All other sections and subsections of Title 6, Chapter 1, Article B will remain the same and are not affected by this resolution.

Title 6, Chapter 1, Article B, Child Support Guidelines

SECTION 6-102.6 CHILD SUPPORT GUIDELINES

E. The child support guidelines are as follows:

17. Material change in circumstances:

a. Child support orders may be modified upon a material change in circumstances.

b. Three years after the issuance of any child support order the Chickasaw Nation Child Support Enforcement Department of Youth and Family Services ("CSE") may file an action for modification of child support based upon application of either party. Either party may file an action for modification of child support at any time after entry of decree upon showing a material change of circumstances.

SECTION 6-102.7 DEPENDENT MINOR CHILD.

Any child shall be entitled to support by the parents until the child reaches eighteen (18) years of age. If a dependent child is regularly and continuously attending high school, said child shall be entitled to support by the parents through the age of twenty (20) years or until the child graduates or leaves high school, whichever occurs first. No hearing shall be required to extend such support through the age of twenty (20) if the child is regularly and continuously attending high school.

A motion was made by Mr. Scott Colbert to approve PR19-024. The motion was seconded by Mrs. Shephard.

Members voting yes:

Beth Alexander, Linda Briggs, Scott Colbert,
Tim Colbert, Mary Jo Green, Donna Hartman,
Lisa Johnson-Billy, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright, Lisa Shephard,
Wanda Blackwood Scott

13 yes votes

The motion to approve PR19-024 carried unanimously.

AGENDA ITEM #7**NEW BUSINESS (Comments from Citizens)**

Comments by Mr. James Humes

Mr. Humes stated he had been ill and would not be able to give the full report he had prepared on tribal sovereignty. Mr. Humes stated David Getchus, a professor of law, gave a report to the Senate Select Committee for Indian Affairs on the attack on sovereignty by our court system. In the report that was given from 1986 to 2001 the Supreme Court decided 40 Indian Law cases, of which tribal interest won only nine or 23%. This covers the 15 terms of the Court since William Renquez became Chief Justice compared to the 17 terms of the predecessor Burgercourt, when tribal interest prevailed in 58% of the cases. Mr. Humes voiced his concern on the attack on sovereignty regarding the Apache Tribe. He stated the Tribe should plan for seven generations in the future.

Mr. Dusk Monetatchi spoke regarding the mission trip taken by youth from the Temple of God Church to the White River Apache Reservation in Arizona. He thanked the Legislature for their support. Comments of appreciation for support were also expressed by LaRue Baken, Megan Voneel, Zeke Walker, Matt Frye and Jaisee Monetatchi.

Mr. Mike Watson commented on not receiving his ballot and four other ballots that should have been sent to his mailing address. He recommended amending the Election Rules as follows:

Require the Election Secretary to be in the office from the time candidates register until after the ballots have been counted and certified; require one Election Commissioner be in the office throughout an election; and more than one Election Commissioner should have the keys to the storage room where the ballots are kept. Mr. Watson expressed his opposition to a new capitol building.

Ms. Wilma Watson expressed her gratitude for the blood pressure machine for the Ardmore Senior Citizens.

Mrs. Johnson-Billy asked for the floor.

Chairperson Wanda Blackwood Scott adjourned the session.

AGENDA ITEM #8**ADJOURNMENT**

The Chickasaw Tribal Legislature adjourned at 10:02 a.m.

Respectfully submitted,

Prepared by:

Dean McManus, Secretary
Chickasaw Tribal Legislature

Doretta Sellers, Recording Secretary
Chickasaw Tribal Legislature